

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GARDEN CITY BOXING CLUB, INC., No. CIV S-05-0384 WBS JFM

Plaintiff,

v.

HAI PHUC NGUYEN,¹ et al.,

Defendants.

JUDGMENT

This court has considered and heard plaintiff's application for entry of a default judgment against defendant Antoine Sandifer, under Rule 55(b)(2) of the Federal Rules of Civil Procedure. After considering the papers submitted in connection with the application, the papers on file in this action, the Court finds as follows:

1. Clerk's default has been entered as to defendant Antoine Sandifer on August 9, 2005. The Court finds that defendant Sandifer has been timely served with notice of this action.

2. Defendant Antoine Sandifer is not a minor, incompetent person, or current member of the military service.

¹ On July 6, 2005, defendant Nguyen was dismissed from this action.

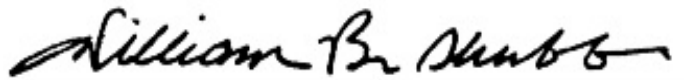
1 3. The Court further finds that the Clerk of the above entitled Court, properly
2 entered default against defendant Sandifer for said defendant's failure to answer the summons
3 and first amended complaint served upon him.

4 4. The Court this day has adopted the findings and recommendations of the
5 magistrate judge filed January 18, 2006 that no damages be awarded for violation of 47 U.S.C. §
6 553(a), but that damages in the sum of \$1,000.00 plus costs in the amount of \$641.00 and
7 reasonable attorneys' fees in the amount of \$2,500 be awarded for violation of 47 U.S.C. §
8 605(a).

9 5. Defendant, having failed to plead or otherwise defend in this action, and
10 having a default entered against him, now, upon application of the plaintiff, and upon
11 declarations and exhibits submitted, IT IS HEREBY ORDERED ADJUDGED AND
12 DECREED:

13 Pursuant to 47 U.S.C. § 605(a), as against defendant Antoine Sandifer, and in
14 favor of plaintiff Garden City Boxing Club, the sum of \$1,000, plus post-judgment interest
15 thereon at the legal rate pursuant to 28 U.S.C. § 1961 from the date of entry of this judgment;
16 plus attorneys' fees in the amount of \$2,500.00 and costs in the amount of \$641.00, pursuant to
17 47 U.S.C. § 605(a); and no damages are awarded for defendant Marsh's violation of 47 U.S.C.
18 § 553(a).

19 DATED: February 10, 2006

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21 WILLIAM B. SHUBB
22 UNITED STATES DISTRICT JUDGE

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